

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of an appeal under section 120 of the  
Act

BETWEEN SOUTH EPSOM PLANNING  
GROUP INCORPORATED

(RMA 43/96)

Appellant

AND AUCKLAND REGIONAL COUNCIL

First Respondent

AND AUCKLAND CITY COUNCIL

Second Respondent

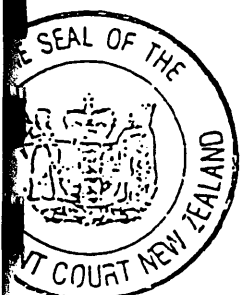
BEFORE THE ENVIRONMENT COURT

Environment Judge J R Jackson sitting alone pursuant to section 279 of the Act

IN CHAMBERS at AUCKLAND 11 April 1997

CONSENT ORDER

Having considered the notice of appeal and the memorandum submitted on behalf of the parties THIS COURT HEREBY ORDERS BY CONSENT that consent be granted to the construction of a water purification works at 1025 Mt Eden Road, Mt Roskill (being Lot 1, DP 37020 as shown on CT 953/21, and as otherwise described



in the information and plans AK970830.016 submitted with the application), subject to the following conditions:

1. The proposed works shall be carried out in accordance with the plans and information submitted as part of this application and at the hearing of it unless otherwise required to be changed by the following conditions.
2. Subject to Condition 11, the procedures for storage and use of hazardous substances on the site shall be in accordance with the details included in the application and particularly Appendix E to the application and the later details included with the memorandum to the Council dated 14 July 1995, the details accompanying the applicant's letter to the Council dated 18 September 1995 and the evidence presented by Messrs G Paterson and A Palman at the hearing of the application. This condition is to ensure all the safety procedures described are implemented.
3. That all the vehicle access, manoeuvring and parking areas shall be formed and maintained to the Council's standards.
4. That the vehicle crossing and access point to the site shall be 6 metres to facilitate easier vehicle manoeuvring to and from the site.
5. That the landscaping works shown on the application plans shall be shown on a landscape plan which shall particularly describe types and sizes of plantings proposed with the intention of that plan being to screen the water plant facility whilst adding to the planted amenity of the locality. The landscape plan shall be approved by the Manager, Auckland City Environments and shall be implemented to the satisfaction of that Council officer.
6. That the whole of the site shall be enclosed with a security fence and gate to a height of two metres.



7. That the generation of noise from the water purification plant shall meet the noise standards of the proposed district plan at all times but rather than these standards being met at the boundary of any residentially zoned property, these shall be met alongside the buildings shown on the proposal plans from which any noise is emitted with those standards being:

Monday to Saturday	7.00am to 10.00pm	
And Sunday and public holidays	9.00am to 6.00pm	55dBA
At all other times		L10 45 dBA Lmax 75 dBA

And in addition the L10 measures alongside these components of the plant facility shall not exceed 70 dBA.

These levels are to be measured in accordance with the requirements of NZS 6801:1991 - Measurement of Sound and NZS 6802:1991 - Assessment of Environment Sound and measured with a sound level meter complying at least with International Standard IEC 651 (1979) - Sound Level Meters Type 1.

This condition is to remove concerns for any continuous noise which could be a nuisance to residents in the locality.

- 7(a) All machinery from which noise emanates shall be contained within the buildings shown on the proposal plans.
8. In accordance with Rule 8.2.2.6 of the proposed district plan, all buildings, structures, facilities and works associated with the water purification plant shall be removable.
9. Any discharge of the extracted ground water from the quarry site to the Council's stormwater drains shall be in accordance with the Council's correspondence dated 2 December 1994 (file reference 985 - 1021 Mr Eden Road) from B Kerr, Engineer allowing such discharge subject to conditions



and further shall be in accordance with the correspondence (same file reference and Council Engineer) dated 18 September 1995 in order that any concerns in respect of potential catchment flooding, particularly in the vicinity of Mr Eden Road, are overcome. There shall be no visible discharge of water to the street at any time.

10. That a management plan be prepared in the terms below:

- (a) The consent holder shall submit a Three Kings municipal supply management plan to the Auckland City Council for approval.
- (b) The management plan shall be prepared to a suitable professional standard and shall be submitted within six months of the date of consent.
- (c) The management plan shall include:

- (i) Operations plan

The operations plan shall include details of the operation and monitoring of the treatment plan, the water supply network operation for the pressure zone supplied by the treatment plant, and water demand and maintenance for that pressure zone.

- (ii) Contingency plan

The contingency plan shall include strategies for avoiding, remedying, and mitigating adverse effects of reasonably foreseen but unscheduled events, and the reporting procedures to the Auckland City Council and ARC Environment for those events.



(iii) Network efficiency and water conservation plan

This plan shall include a statement of:

- Current water supply network management practices for the pressure zone supplied by the treatment plant, in terms of efficiency of use of water resources, and options to improve those management practices.
- Goals in network efficiency performance.
- Goals in water conservation strategies and programmes.
- An annual network efficiency and water conservation report.

(iv) Standards

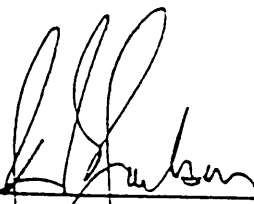
The plan shall include reference to all relevant standards (including national standards) and guidelines which must be complied with for the management of water treatment plant and related pressure zone.

- (d) The consent holder shall operate the treatment plant and the pressure zone it supplies in general accordance with the management plan and any subsequent update to the plan.
- (e) The consent holder shall adopt all reasonably practicable measures to maintain and enhance the efficiency of the treatment plant and the pressure zone it supplies, and to minimise water losses from them.
- (f) The consent holder shall appoint, and maintain the appointment of, a suitably qualified peer reviewer, that person being approved by the Auckland City Council, and the Auckland Regional Council, to ensure that the Three Kings municipal supply management plan is reviewed annually to a suitable professional standard.



- (g) A peer review report must be provided to the Council at twelve monthly intervals ending 30 June each year. The consent holder shall supply to the peer reviewer any information held by the consent holder which is necessary to carry out the peer review.
11. Water shall be treated by the electrolytic generation of sodium hypochlorite at the treatment plant. There shall be no storage or use of chlorine gas at the treatment plant site.
12. In terms of section 128 of the Act the conditions of this consent may be reviewed annually in November of each year by the Council for any of the following purposes:
- (a) To deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage; or
  - (b) To deal with any complaints which have been received and validated by the Council.
13. That in respect of all of the above conditions where any matters need to be the subject of contact with, or to the satisfaction of the Council, this shall be arranged through the Manager, Auckland City Environments.

There is no order as to costs.

  
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J R Jackson  
Environment Judge

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